

UNITED STATES DISTRICT COURT
Northern District of California

KALAKE FONUA and KENNETH ASHTON
FONUA,

No. C 09-05983 MEJ

Plaintiff(s),

ORDER VACATING CMC

v.

**ORDER FOR PLAINTIFFS TO FILE
STATUS REPORT**

CITY OF SAN MATEO, et al.,

Defendant(s).

Plaintiffs Kalake Fonua and Kenneth Ashton Fonua filed the above-captioned complaint on December 2, 2009. Since that time, however, there has been no further docket activity. As there is a case management conference scheduled on April 1, 2010, and there is no indication that the defendants have been served, the Court hereby VACATES the April 1, 2010 Case Management Conference. To help the Court determine how to proceed with this case, the plaintiffs shall file a status report by April 5, 2010. The status report shall not raise any arguments or provide details regarding the subject matter of their complaint; instead, the plaintiffs shall address what steps they have taken since filing their complaint to ensure that all named defendants have been served, and whether they intend to proceed with the prosecution of their case. Plaintiffs should be mindful that the Court may dismiss their case pursuant to Federal Rule of Civil Procedure 41(b) for failure to prosecute.

IT IS SO ORDERED.

Dated: March 15, 2010



Maria-Elena James
Chief United States Magistrate Judge

UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF CALIFORNIA

KALAKE FONUA et al,

Case Number: CV09-05983 MEJ

Plaintiff,

CERTIFICATE OF SERVICE

v.

SAN MATEO CITY OF et al,

Defendant.

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on March 15, 2010, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Kalake Fonua
Kenneth Ashton Fonua
2555 Illinois Street
East Palo Alto, CA 94303

Dated: March 15, 2010

Richard W. Wieking, Clerk
By: Brenda Tolbert, Deputy Clerk